

HOUSE BILL 1798  
By Rinks

AN ACT to amend Tennessee Code Annotated, Section 6-58-107,  
relative to consistency of decisions with growth plans and  
the goals and objectives of the growth plans.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-58-107, is amended by deleting the  
second sentence and by substituting instead the following:

After a growth plan is so approved, all land use decisions (including, but not limited to, subdivision of land, site plans for new development, zoning and rezoning of land, plan documents or elements of plan documents, transportation, water, wastewater, gas and electrical infrastructure improvements and construction, location and construction of schools, and location and construction of other governmental structures), made by the municipality's or county's legislative body and the municipality's or county's planning commission shall be consistent with the growth plan. Any proposed or planned state-constructed or state-owned infrastructure or any state action involving the use of land by any state department, agency, board or commission shall be consistent with the adopted growth plan of the municipality or county in which the infrastructure or state action involving the use of land is proposed to be located. State departments, agencies, boards, or commissions shall concentrate public infrastructure investments within areas identified as urban growth boundaries or planned growth areas, and any infrastructure investment to be constructed within a rural area shall be designed to have a minimum impact upon that area and shall not foster premature development of the rural area.

SECTION 2. Tennessee Code Annotated, Section 6-58-107, is amended in the fifth sentence by deleting the words "A growth plan may address" and by substituting instead the following:

A growth plan shall address

SECTION 3. Tennessee Code Annotated, Section 6-58-107, is further amended by adding the following language as new, appropriately numbered subsections:

(9) Provide for a variety of mixed uses within appropriate zoning districts so that a viable mixture of retail, residential, transportation, and work environments may encourage efficient and effective uses of land and resources;

(10) Provide for land use measures and policies that would preserve the best and most viable of the state's agricultural, forest, and natural resources;

(11) Ensure that premature development does not occur and that there is a concurrency of development with infrastructure to support that development.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.